

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

DOCKET NO. 3:09cr156-FDW

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
DAVID GERARD SMITH, )  
 )  
Defendant. )  
 )

**FINAL ORDER AND JUDGMENT  
CONFIRMING FORFEITURE**

On February 21, 2012, this Court entered a Preliminary Order of Forfeiture pursuant to 18 U.S.C. § 2253, based upon the Defendant's plea of guilty to Counts One and Two in the Bill of Indictment and evidence already on record.

From February 22, 2012 through March 22, 2012, the United States published, via [www.forfeiture.gov](http://www.forfeiture.gov), notice of this forfeiture and of the intent of the government to dispose of the forfeited property according to law, and further notice to all third parties of their right to petition the Court within sixty days from February 22, 2012 for a hearing to adjudicate the validity of any alleged legal interest in the property. It appears from the record that no such petitions have been filed. Based on the record in this case, including the defendant's plea of guilty, the Court finds, in accordance with Rule 32.2(c)(2), that the Defendant had an interest in the property that is forfeitable under the applicable statute.

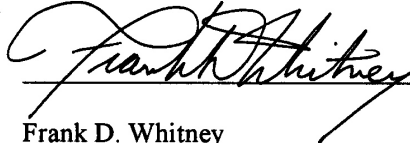
It is therefore ORDERED:

In accordance with Rule 32.2(c)(2), the Preliminary Order of Forfeiture is confirmed as final. All right, title, and interest in the following property, whether real, personal, or mixed, has therefore

been forfeited to the United States for disposition according to law:

**One Apple Macintosh G5 desktop computer;  
One Gateway desktop computer;  
Three external hard drives;  
156 CD/DVDs;  
One Sony Digital Handicam, model DCR-PC5 NTSG;  
One Sony Handicam DCR-PC55 NTSC;  
One Canon GV10 NTSC digital video camera;  
One Sharp Camcorder, model VL-E660U; and  
Film and mini cassette tapes for cameras.**

Signed: September 7, 2012

  
Frank D. Whitney  
United States District Judge

